

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION

STATE OF TENNESSEE, *ex rel.*)
JONATHAN SKRMETTI, ATTORNEY)
GENERAL and REPORTER, and)
COMMONWEALTH OF KENTUCKY, *ex*)
rel. DANIEL CAMERON, ATTORNEY)
GENERAL,)

3:23-CV-00046-DCLC-JEM

Plaintiffs,)

v.)

IDEAL HORIZON BENEFITS, LLC d/b/a)
SOLAR TITAN USA, et al.,)

Defendants.)

DECLARATION OF CRAIG KELLEY

I, Craig Kelley, make the following declaration under penalty of perjury pursuant to 28 U.S. Code § 1746:

1. I am over 18 years of age, and duly competent and qualified to make this declaration.
2. The statements in this declaration are based on my own personal knowledge.
3. I am a resident of Knox County, Tennessee.
4. Ideal Horizon Benefits, LLC d/b/a Solar Titan ("Solar Titan") hired legal counsel to review various documents, including the contract for the installation of solar systems.
5. Solar Titan relied on legal counsel's review of the documents and contract, such that it assumed that the attorney-reviewed contracts were appropriate to be used.
6. Solar Titan assumed that Solar Titan customers could cancel their contracts during the three-day window. Solar Titan permitted such cancellations to occur.

7. After the Kentucky Attorney General's Office started investigating Solar Titan, Solar Titan was informed that the non-disparagement provision contained within the sales contracts was not permissible. Upon learning this, Solar Titan removed this contract provision. Solar Titan was not informed of any other allegedly illegal or unenforceable terms in our contract at that time.

8. To the best of my knowledge, Solar Titan had between 2,500 and 3,000 installations for solar systems since the company's formation, but Solar Titan doesn't have access to these documents at this time in light of the receivership.

9. Further I saith not.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of February, 2023.


Craig Kelley